

# JOURNAL OF THE SENATE

Thursday, May 28, 1970

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—48:

Mr. President	Deeb	Karl	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Saylor	Young

Prayer by Senator Broxson:

God, our Heavenly Father, we enter your courts with praise. In your words to us, you promised that the godly person would be like a tree, planted by the rivers of water which bringeth forth his fruit in his season. You promised that wherever the godly man goes and whatever he does will prosper. Help us to be godly. In the spirit of the humble Lord Jesus. Amen.

The Journal of May 27 was corrected and approved.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills for Special Order Calendar Thursday, May 28, 1970:

SB 1440	HB 399	SB 1411
CS for SB 114	SB 683	HB 4519
SB 118	SB 644	HB 3110
SB 717	HB 3698	SB 742
SB 747	SB 968	SJR 773
SB 1253	SB 763	SB 1469
CS for HB 3898	SB 856	SB 1315
CS for HB 3897	SB 1049	SB 996
CS for HB 3895	SB 855	SB 568
SB 1089	SB 1273	SB 1320
SB 1318	HB 4257	SB 584
SB 643	SB 422	SB 450
SB 822	SB 1369	SB 984
SB 555	SB 1476	SB 610
SB 1237	SB 1382	SB 611
SB 656	SB 425	HB 860
HB 785	SB 490	HB 3626
SB 951	SB 765	HB 4120
HB 507	SB 1108	

Elmer O. Friday, Jr.  
Chairman, Committee  
on Rules and Calendar

The Committee on Rules and Calendar referred the following bills to the Local Calendar:

HB 4118	SB 1516	HB 5245	HB 5184
SB 1544	HB 5161	HB 5216	HB 5182
SB 1543	HB 4530	HB 5126	HB 5183
SB 1542	HB 5138	HB 4515	HB 5181
HB 5238	HB 5296	SB 1547	HB 4532
HB 5234	HB 5291	SB 1517	HB 4652
HB 5233	HB 5290	SB 1478	HB 5217
HB 5232	HB 5289	SB 1528	SB 1495
HB 5230	HB 5271	SB 1526	HB 5243
HB 5225	HB 5270	SB 1525	HB 5242
HB 5223	HB 5269	SB 1524	SB 1499
HB 5221	HB 5268	SB 1523	SB 1515
HB 5220	HB 5261	HB 5209	SB 1514
HB 4378	HB 5257	HB 5208	SB 1513
HB 5211	HB 5260	HB 5207	SB 1509
HB 5132	HB 5259	HB 5205	SB 1506
HB 5114	HB 5258	HB 5203	SB 1496
HB 5052	HB 5256	HB 5199	SB 1548
HB 4649	HB 5253	HB 5198	SB 1540
HB 4516	HB 5251	HB 5189	SB 1538
HB 5064	HB 5249	HB 5188	SB 1537
HB 5045	HB 5246	HB 5185	SB 1532

HB 5231, with 4 amendments    SB 1357, with 1 amendment

The Committee on Commerce and Licensed Businesses recommends the following pass:

SB 1014 with 1 amendment    HB 5276  
SB 1385 with 2 amendments    SB 1323 with 1 amendment  
HB 3660

The Committee on Ways and Means recommends the following pass: SB 318, HB 3494, HB 5084 with 4 amendments

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 1039 with 1 amendment

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Ways and Means recommends a Committee Substitute for the following:

SB 24 with 3 amendments

The Committee on Ways and Means recommends a Committee Substitute for the following:

SB 930

The Committee on Ways and Means recommends a Committee Substitute for the following:

SB 710 with 1 amendment

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

The Committee on Commerce and Licensed Businesses recommends the following not pass: SB 454, SCR 1427, SB 1428, SB 1449, HB 727

The bills were laid on the table.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 615 with 1 amendment    CS for SB 444 with 6 amendments  
SB 804 with 1 amendment

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bills were immediately certified to the House.

Your Engrossing Clerk to whom was referred—

SB 473 with 1 amendment    SB 1044 with 3 amendments  
SB 477 with 3 amendments    SB 1163 with 3 amendments  
SB 771 with 1 amendment    SB 1340 with 3 amendments  
SB 772 with 1 amendment    SB 1359 with 1 amendment  
SB 985 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

*EDWIN G. FRASER*  
*Secretary of the Senate*

The bills were certified to the House.

### ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 30	SB 327	SCR 1541
SB 54	SB 371	CS for
SB 255	SB 688	SB 36

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 28, 1970.

*EDWIN G. FRASER*  
*Secretary of the Senate*

### INTRODUCTION

By The Committee on Ways and Means—

**SB 1553**—A bill to be entitled An act relating to taxation; creating chapter 202, Florida Statutes, providing for the imposition and collection of a tax upon the taxable net income of domestic corporations and foreign corporations doing business in this state; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By The Committee on Ways and Means—

**SB 1554**—A bill to be entitled An act relating to the department of education; amending section 233.063(2), Florida Statutes, to increase to one dollar (\$1) the additional fee to the driver's license as required by section 322.21; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By The Committee on Ways and Means—

**SB 1555**—A bill to be entitled An act relating to the department of highway safety and motor vehicles, division of driver licenses, relating to commercial driving schools; amending sections 488.03(1) and 488.04, Florida Statutes, increasing fees for licensing commercial driving schools; providing for a certification fee on instructors; limiting validity of instructors certificate to one year; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By The Committee on Ways and Means—

**SB 1556**—A bill to be entitled An act relating to labor organizations; amending subsection (2) of section 447.04, Florida Statutes, by increasing the license or permit fee of business agents; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By The Committee on Ways and Means—

**SB 1557**—A bill to be entitled An act relating to insurance; amending section 624.0313(1), Florida Statutes, to increase the

state fire marshal's regulatory assessment imposed upon domestic, alien and foreign insurers from three-eighths of one per cent to five-eighths of one per cent; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By The Committee on Ways and Means—

**SB 1558**—A bill to be entitled An act relating to education; amending section 236.07(3)(a), Florida Statutes, increasing the amount to be included for instructional salaries; amending section 230.767(2)(a), Florida Statutes, increasing the amount to be included for instructional salaries; providing an effective date.

Was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

By Senators Daniel and Karl—

**SB 1559**—A bill to be entitled An act relating to Lake County; providing for the acquisition and construction of roads, bridges, highways, rights-of-way, storm sewers, and drains and the acquisition, construction, repairing, equipping, and remodeling of any county building or public facility, including recreational facilities; authorizing the issuance of certificates of indebtedness payable from the portion of the race track funds accruing annually to Lake County and allocated to the board of county commissioners to finance the cost of such projects; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1559.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Horne, Ducker, Gunter, Plante, Karl, Friday and Bafalis—

**SB 1561**—A bill to be entitled An act relating to county government, amending section 3, chapter 69-234, Laws of Florida, to provide that violations of county ordinances are misdemeanors and shall be prosecuted in the name of the state of Florida; providing an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Horne, by two-thirds vote, SB 1561 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

Unanimous consent was granted Senator Horne to take up out of order SB 1561 which was read the second time by title. On motion by Senator Horne, the rules were waived and SB 1561 was read the third time by title, passed and certified to the House. The vote was: Yeas—30 Nays—None

Mr. President	Haverfield	Myers	Stolzenburg
Bafalis	Henderson	Plante	Stone
Bishop	Horne	Poston	Thomas
Boyd	Johnson	Reuter	Trask
Broxson	Karl	Saunders	Williams
Daniel	Knopke	Scarborough	Wilson
Ducker	Lane	Shevin	
Friday	McClain	Slade	

By Senators Mathews, Pope, Scarborough, Beaufort, de la Parte, Slade, Friday, Horne, Bishop, Barron, Barrow, Saunders, Daniel, Broxson, Stone, Poston, Hollahan, Boyd, Trask, Williams, Karl, Askew, Myers, Ott, Gong, Knopke, Weissenborn, Johnson, Bafalis and Saylor—

**SB 1562**—A bill to be entitled An act for the relief of Mrs Mary Wellman for the death of her husband, Doctor Marvin Wellman, in performance of his official duties; providing a

pension for her; providing an appropriation; providing an effective date.

Was read the first time by title. On motion by Senator Stone, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Stone to take up SB 1562 out of order. On motions by Senator Stone, the rules were waived and SB 1562 was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Daniel	Johnson	Saunders
Askew	de la Parte	Karl	Scarborough
Bafalis	Ducker	Knopke	Slade
Barron	Friday	McClain	Stolzenburg
Barrow	Gong	Myers	Stone
Beaufort	Haverfield	Ott	Trask
Bishop	Henderson	Plante	Weissenborn
Boyd	Hollahan	Pope	Williams
Broxson	Horne	Poston	Young

Nays—5

Bell	Reuter	Thomas	Wilson
Lane			

By Senators Shevin, Askew and Saunders—

**SCR 1563**—A resolution commending the organizers of "Come Together Day" and wishing them success.

Was read the first time in full and referred to the Committee on Rules and Calendar.

By Senators Haverfield, Poston, Askew, Horne, Broxson, Hollahan, Stone, Fincher, Stolzenburg, Weber, Myers, Shevin, Gunter, Saunders, Bell and Gong—

**SB 1564**—A bill to be entitled An act relating to lease agreements between the state and local governmental bodies; providing that such agreements may be effective for periods extending up to thirty (30) years, subject to the appropriation of funds by the legislature for the payment of rentals thereunder in each fiscal year; providing an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

Senator Friday, Chairman of the Committee on Rules and Calendar, stated the Committee had determined that an emergency existed compelling consideration of SB 1564, and recommended that the bill be delivered to the committee of reference.

On motion by Senator Friday, Rule 4.4 was amended as follows: Page 38, after "sine die of such session" insert: except committee bills of the Committee on Ways and Means authorized pursuant to Rule 3.13

By unanimous consent, Senator Stolzenburg changed his vote from nay to yea on SB 1178 which passed the Senate May 26.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Friday, by two-thirds vote, SB 1323 was withdrawn from the Committee on Agriculture.

On motions by Senator Chiles, by two-thirds vote, SB 1398 and HB 4140 were withdrawn from the Committee on Ways and Means.

The President Pro Tempore presiding.

On motion by Senator Barron, the rules were waived and the Committee on Insurance was granted an additional 7 days for the consideration of HB 5129.

On motion by Senator Karl, by two-thirds vote, HB 3494 was removed from the Calendar and re-referred to the Committee on Rules and Calendar.

On motion by Senator Hollahan, Rule 2.5 was waived and the Committee on Governmental Organization was granted permission to consider House Bills 3690, 3689, 3695 and 3847 at the scheduled meeting this day.

On motion by Senator Horne, by two-thirds vote, HB 4803 was withdrawn from the Committee on Judiciary.

Senator Horne moved that the rules be waived and SB 1070 be withdrawn from the Committees on Commerce and Licensed Businesses and Ways and Means and placed on the Calendar. The motion failed and the vote was:

Yeas—19

Askew	Daniel	Hollahan	Shevin
Bafalis	Ducker	Horne	Slade
Barron	Friday	Myers	Stone
Barrow	Gong	Plante	Weissenborn
Broxson	Haverfield	Reuter	

Nays—24

Bell	Henderson	Ott	Thomas
Bishop	Johnson	Poston	Trask
Boyd	Karl	Saunders	Weber
Deeb	Knopke	Sayler	Williams
de la Parte	Lane	Scarborough	Wilson
Fincher	McClain	Stolzenburg	Young

On motions by Senator Friday, the rules were waived and Senate Bills 804, 805, 806 and 1345 which passed the Senate May 27 were immediately certified to the House.

By permission, Senator Askew was recorded as voting yea on the first amendment offered by Senator Daniel to SB 1163 which passed the Senate May 27 and nay on final passage of the bill.

On motion by Senator Horne, by two-thirds vote, SB 1400 was withdrawn from the Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR

The Governor advised that on May 28 he had transmitted to the Office of Secretary of State Senate Bills 942 and 1010 which will become law without his signature.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gallen—

**HB 5328**—A bill to be entitled An act relating to Manatee County amending Section 8 of Chapter 63-1598, Special Acts of 1963, relating to the Manatee County Utility Bond Act, providing that the Board of County Commissioners may issue by resolution bonds which shall bear interest at such rate or rates not exceeding eight and one-half per centum (8 1/2%) per annum, providing like provision regarding refunding bonds, providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Caldwell and others—

**HB 5224**—A bill to be entitled An act relating to Broward County transportation authority; amending sections 1, 2, 3, 4, 5, 7, 8, 10, 11, 14, and 24 of chapter 69-907, Laws of Florida; providing definitions; providing for trafficways plans for part or all of the area of jurisdiction; stating cause for removal of members; providing for the employment of a staff; providing for the conditions of employment, the salary, and duties of the executive director; providing for areas of cooperation between the authority, the county commission, and the area planning board, providing that trafficways plans shall be adopted and approved by the authority; increasing the amount of money which the department of transportation may expend annually for the expressway system; adding a new section 22 to said chapter to provide for conflicts of jurisdiction; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Caldwell and others—

**HB 5325**—A bill to be entitled An act relating to the Town of Pembroke Park; amending section 9 of chapter 59-1722, laws of Florida, 1959; to provide the qualifications and terms of office of all officers; to provide for the qualifications of electors; to provide for the registration of electors, etc.; providing for an effective date.

Proof of Publication attached.

By Representative King and others—

**HB 5326**—A bill to be entitled An act relating to Broward County; creating the Broward County Emergency Medical Services Council; providing for the appointment of members; providing for an Executive Director, a Coordinator and other personnel; prescribing the powers and duties of the council; providing for an appropriation from Broward County; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative King and others—

**HB 5324**—A bill to be entitled An act relating to the boundaries of the City of Pembroke Pines, Florida, by amending Chapter 61-2650, Laws of Florida, Special Acts of 1961, being the Charter of the City of Pembroke Pines, Florida, as amended by Section 1 of Chapter 69-1460, Laws of Florida, Special Acts of 1969, by adding Section 10.2 thereto, to provide for the extending of the boundaries and Corporate jurisdiction of the City of Pembroke Pines to include by annexation certain lands lying in Tracts 29, 30, 31, and 32 of Section 8, Township 51 South, Range 41 East, according to the Plat of EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, as recorded in Plat Book 2, page 75, of the Public Records of Dade County, Florida, (situate and lying in

Broward County, Florida); providing for a severable provision and effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Bird and others—

**HB 5321**—A bill to be entitled An act relating to the City of Pembroke Pines, Broward County, Florida, providing for an alternative method for the integration and annexation of territory lying contiguous and adjacent to the City Limits as they may now or hereafter exist; providing for procedure to be followed in annexing such territory; limiting the application of this act to unincorporated lands; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Tyre and Shaw—

**HB 5319**—A bill to be entitled An act relating to the Town of Hilliard, Nassau County, Florida; amending section 59 of Chapter 24561, Laws of Florida, 1947, as amended by Chapter 59-1345, Laws of Florida, 1959, by authorizing the borrowing of money up to a certain maximum; repealing all laws in conflict therewith; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative J. M. Martinez and others—

**HB 5312**—A bill to be entitled An act relating to Broward County; providing for additional compensation of the official circuit court reporters of the seventeenth judicial circuit residing in Broward County; providing for a portion of such salaries to be paid from the general revenue of Broward County and making same a county purpose; providing an effective date.

Proof of Publication attached.

By Representative Conway and others—

**HB 5315**—A bill to be entitled An act relating to Volusia County; providing for the annual salary of justices of the peace and constables of the county; providing an effective date and an expiration date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Gallen and Pratt—

**HB 3891**—A bill to be entitled An act designating certain railroad crossings in Manatee County as dangerous crossings; providing a speed limit for trains unless crossings are equipped with automatic flashing lights; providing effective date.

Proof of Publication attached.

By Representative R. J. Tillman and others—

**HB 5190**—A bill to be entitled An act relating to the City of Melbourne, Brevard County; amending chapter 69-879, Laws of Florida, by inserting therein the name "Melbourne" in all of the blank spaces contained in said act and having reference to the name of the city created by virtue of said act; amending section 1.05 of article I, sections 2.02 and 2.04 of article II, sections 4.03, 4.04, and 4.06(5) of article IV, section 5.06 of article V, and sections 6.02, 6.05, and 6.08 of article VI of said chapter; redefining the territorial boundaries of said city; providing for composition and qualifications of the city council and the election of a vice-mayor; providing for clerk of municipal court, and setting forth the powers and duties of said clerk; providing for the duties of city police officers and the service of writs, processes and warrants issuing from the city court, and authorizing the municipal judge to punish for contempt of court and provide a fine therefor; providing for recall of council members and the method of procedure to accomplish same; providing for the preparation of the city manager's budget and public hearing thereon; providing for the authority to levy an ad valorem tax on property for the operation of city government; repealing section 8.06 of article VIII of said chapter, which provides special regulations for Melbourne Village; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Tyre and Shaw—

**HB 5336**—A bill to be entitled An act relating to the Town of Hilliard, Nassau County, Florida; empowering said municipality to enter into and make contracts for purchases of any item for a sum not to exceed one thousand five hundred dollars (\$1,500.00) without requiring competitive bidding thereon; repealing all laws in conflict therewith; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Yancey and others—

**HB 5334**—A bill to be entitled An act to abolish the present municipality of the Town of Dundee, Polk County, Florida, and to re-create and re-establish a municipal corporation to be known as the City of Dundee, Polk County, Florida; to subscribe the form of government and confer certain powers, privileges, immunities, and the means for exercising the same; to repeal or amend all laws in conflict herewith and to provide an effective date hereof.

Proof of Publication attached.

By Representative R. J. Tillman and others—

**HB 5332**—A bill to be entitled An act prescribing the territorial limits of the municipality known as Kissimmee in Osceola County.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Ward and others—

**HB 5310**—A bill to be entitled An act to amend Chapter 61-2650, Laws of Florida, 1961 Special Acts, being the Charter of the City of Pembroke Pines, Florida, relating to the acquisition of property and to the issuance of revenue bonds; to validate prior transactions; to repeal conflicting laws; and to provide for immediate effect.

Proof of Publication attached.

By Representative Rude and others—

**HB 5311**—A bill to be entitled An act relating to Broward County; amending chapter 69-917, Laws of Florida, by deleting the words "South Florida building code" wherever used and substituting in lieu thereof the words "Broward building code;" amending section 103.4 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to the scope of the building code; amending subsection (c)(10) of section 202.13 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to the subpoena and swearing of witnesses; amending section 203 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to the board of rules and appeals; amending section 203 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to secretary to the board of rules and appeals by adding a new subsection (a); amending subsection (a) of section 203.1 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to membership of the board of rules and appeals; amending subsection (b) of section 203.1 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to the term of board members and alternate members of the board of rules and appeals; amending section 203.2 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to compensation of board members of the board of rules and appeals; amending subsection (b) of section 203.3 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to chairman and vice-chairman of the board of rules and appeals; amending subsection (e) of section 203.3 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to quorum and decisions of the board of rules and appeals;

amending subsection (d)(2) of section 203.4 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to amendments or revision to the code; repealing subsection (d)(3) of section 203.4 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to annual report on the operation of the code; amending section 203.4 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, by adding a new subsection (e) relating to cost of appealing to board of rules and appeals; amending section 203.5 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to the powers of the board of rules and appeals; repealing subsection (c) of section 203.6 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to authority of the board of rules and appeals; amending part IX, chapter 42 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to signs; amending subsection (c) of section 4604.2 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to hydrogen sulphide gas; amending subsection (b) of section 4614.8 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to installation of pipes; amending section 4615.1 of the South Florida building code as adopted by chapter 69-917, Laws of Florida, relating to septic tanks and drainfields; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gustafson and others—

**HB 5313**—A bill to be entitled An act for the relief of Guy D'Alema; providing for the payment of moneys to compensate him for damages sustained as a result of the negligence of the Broward County district school board; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Conway and others—

**HB 5316**—A bill to be entitled An act relating to Volusia County; removing justices of the peace and constables from the fee system and placing them on a budget system; providing budgeting procedures; providing an effective date and an expiration date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Grizzle and others—

**HB 5304**—A bill to be entitled An Act to amend Subparagraphs (a), (b) and (c) of Section 6 of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, as amended by Chapter 16363, Sections 1, 2 and 3, Special Acts of Florida, 1933, by Chapter 24432, Section 1 (a), Special Acts of Florida, 1947, by Chapter 65-1387, Section 1, Special Acts of Florida, 1965, and by Chapter 69-958, Section 1, Special Acts of Florida, 1969, providing for the redefining of the boundaries and territorial limits of the City of Clearwater, Florida; providing for the severability of the provisions thereof; providing for the repeal of all laws in conflict herewith and providing for the effective date hereof.

Proof of Publication attached.

By Representative Smith—

**HB 5307**—A bill to be entitled An act relating to salt water fisheries and conservation in Taylor County, situated between the mouth of the Steinhatchee River and the Aucilla River prohibiting the use of stop nets; providing an effective date.

Proof of Publication attached.

By Representative Smith—

**HB 5308**—A bill to be entitled An act relating to Taylor County; Amending Section 2 of Chapter 67-615, Laws of Florida; authorizing a certain amount for office expense allowance for the justice of the peace for district number 1, and district number 3; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Caldwell and others—

**HB 5323**—A bill to be entitled An act relating to Broward County, South Broward hospital district; amending section 3 of chapter 24415, Laws of Florida, 1947, as amended, by deleting the requirement that the commissioners not be members of the medical profession; amending section 5 of chapter 24415, Laws of Florida, 1947, to provide that four (4) commissioners are required to constitute a quorum; amending section 9 of chapter 24415, Laws of Florida, 1947, as amended, to authorize the commissioners of the district to borrow money in the principal aggregate amount of one million dollars (\$1,000,000) upon the notes of the district; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gallen—

**HB 5327**—A bill to be entitled An act relating to Manatee County amending Subsection (5) of Section 7 of Chapter 63-1598, Laws of Florida, Special Acts of 1963, relating to the Manatee County Utility Bond Act, authorizing the Board of

County Commissioners to establish by resolution an interest rate on special assessments, not to exceed nine per centum (9%) per annum, providing an effective date.

Proof of Publication attached.

By Representative Sweeny and others—

**HB 5329**—A bill to be entitled An act amending sections (5), (6) & (7) of chapter 67-1010, Laws of Florida, relating to the abolition of justice of the peace districts in Volusia county; providing for a referendum at the next general election; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Roberts and others—

**HB 5134**—A bill to be entitled An act relating to Monroe County; providing for the reduction of millage by all boards of authorities whose taxes are assessed on the tax roll prepared by the tax assessor of said county when the assessed valuation on the county and municipal tax rolls prepared by said tax assessor is increased; providing procedure to increase millage; providing for application of act only in the event of a general reassessment and every year thereafter; providing an effective date.

Proof of Publication attached.

By Representative Reedy and others—

**HB 5229**—A bill to be entitled An act relating to limiting the number of licenses which may be granted for the sale of spirituous beverages within any county of the state having a population of not less than fifty-six thousand (56,000) and not more than sixty-one thousand (61,000) according to the latest official decennial census by vendors operating places of business where spirituous beverages are sold containing alcohol of more than fourteen per cent by weight; excepting from the operation hereof all operators of railroads, sleeping cars, steamships, busses and airplanes obtaining licenses good throughout the state of Florida, under the beverage law of the state of Florida, and incorporated clubs, including social clubs, and caterers at horse or dog racing plants or jai alai frontons as defined in the beverage law of the state of Florida and operators of hotels, motels or motor courts of not less than 100 guest rooms; providing that any such licenses issued to operators of any said hotel, motel or motor court shall only license such sale in any such hotel, motel or motor court and shall not be transferable to any other location and providing that the act shall not prevent or prohibit renewal of any licenses heretofore issued.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Earle and others—

**HB 5235**—A bill to be entitled An act providing for the issuance of a license to Apopka Lodge No. 2422, Benevolent and Protective Order of Elks of the United States of America, Inc., a Florida corporation, not for profit, in Orange County, Florida, by the division of beverage; providing an effective date.

Proof of Publication attached.

By Representative Melvin and others—

**HB 5254**—A bill to be entitled An act relating to Okaloosa County, club alcoholic beverage licenses; excepting Loyal Order of Moose, No. 2193, Fort Walton Beach, Florida, from the provisions of section 561.20(6), Florida Statutes, as the same relates to the number of such licenses that may be issued in Okaloosa County; excepting said club from the provisions of any other laws of general, special, or local nature relating to the number of licenses to be issued in Okaloosa County; providing an effective date.

Proof of Publication attached.

By Representative Caldwell and others—

**HB 5160**—A bill to be entitled An act relating to all counties in the state having a population of not less than three hundred thousand (300,000) nor more than three hundred fifty thousand (350,000) according to the latest official decennial census; providing additional beverage licenses; providing effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Conservation—

**HB 5178**—A bill to be entitled An act relating to protection of marine turtle eggs; repealing chapter 61-744, Laws of Florida, which provides for taking such eggs for personal use at certain times in counties having a population of not less than four thousand five hundred fifty-five (4,555) and not more than four thousand six hundred (4,600), according to the latest official decennial census; providing an effective date.

By Representative Heath and others—

**HB 5158**—A bill to be entitled An act relating to Sarasota county; making findings of fact; providing for the creation of the North Casey Key conservation district within Sarasota County; establishing the district boundaries; providing density requirements for use of land within the district and restricting the use of land within the district to single family residential use; prohibiting unreasonable destruction of natural vegetation when said destruction would be harmful to wildlife or contribute to pollution; creating a wildlife sanctuary within the district; creating a marine sanctuary; prohibiting unreasonable disturbance of submerged lands which constitute marine nursery or breeding areas; providing for the creation of a board of appeals and designating its function, duties and authority; providing for judicial relief; providing that this act will not supersede applicable state and county zoning, air and water pollution and conservation regulations; providing any real property owner in the district may enforce the provisions of this act by appropriate legal proceeding; providing that this act shall be recorded in the public records of Sarasota County, Florida; providing for a referendum.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative James and others—

**HB 5187**—A bill to be entitled An act relating to the salaries of the members of the district school board of Palm Beach County; amending Section 145.041 (10), Florida Statutes, relating to counties that since July 1, 1964 have by referendum voted that school board members shall receive no salary so as to provide that the same shall not apply to Palm Beach County; repealing all laws, or parts of laws, whether general or special, in conflict therewith; providing a referendum.

By Representative King and others—

**HB 5237**—A bill to be entitled An act relating to the Central Broward Drainage District, Broward County; amending section 3 of chapter 69-528, Laws of Florida, by correcting the references therein to other sections of the act; amending section 4 of chapter 61-1439, Laws of Florida, to provide for the appointment of an additional member of the board of commissioners; setting the terms of office of such members and providing for the qualifications thereof; amending section 7 of said chapter to provide for the organization of the board of commissioners and providing for a quorum and the voting power of the chairman of the board; amending section 12 of said chapter to provide for the levy and assessment of an annual tax upon all lands in said district based upon millage rates and eliminating the tax on a lot and acreage basis, and for the collection and enforcement thereof; providing for the forfeiture of title to tax delinquent lands to said district and for the sale of tax forfeited lands; amending section 29 of said chapter by increasing the maximum rate of interest payable on long term indebtedness; amending section 40 of said chapter to provide for the imposition of a lien upon lands serviced or given access by any bridge, culvert, etc., when the same constitutes an obstruction in any canal, ditch, etc., of the district and is not removed after notice, and providing for the enforcement thereof; amending section 4 of chapter 65-1006, Laws of Florida, to provide for the preparation of a tax roll of the Central Broward Drainage District and for the assessment and collection of taxes levied by the Central Broward Drainage District; approving the manner of giving notice of intention to apply for this legislation; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative McNulty and others—

**HB 5337**—A bill to be entitled An act relating to small claims courts of counties having a population of not less than seventeen thousand five hundred (17,500) nor greater than nineteen thousand four hundred (19,400) according to the latest official decennial census; amending Section 7 of Chapter 27052, Laws of Florida, 1951, as previously amended by Chapter 63-829; providing increased fees; adding Section 8 to said Chapter providing an additional sum to be paid for each case filed, such sum to be kept separate and apart from other fees and used exclusively for the benefit of such county law library; providing effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Featherstone—

**HB 3214**—A bill to be entitled An act relating to the Hollywood Reclamation District; amending section 8 of chapter 67-904, Laws of Florida, to eliminate from the district's boundaries lands lying in Dade County; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Evidence of notice and publication was established by the Senate as to House Bills 5328, 5224, 5325, 5326, 5324, 5321, 5319, 5312, 5315, 3891, 5190, 5336, 5334, 5332, 5310, 5311, 5313, 5316, 5304, 5307, 5308, 5323, 5327, 5134, 5235, 5254, 5158 and 5237.

House Bills 5328, 5224, 5325, 5326, 5324, 5321, 5319, 5312, 5315, 3891, 5190, 5336, 5334, 5332, 5310, 5311, 5313, 5316, 5304, 5307, 5308, 5323, 5327, 5329, 5134, 5229, 5235, 5254, 5160, 5178, 5158, 5187, 5237, 5337, and 3214, contained in the above messages, were read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Culbreath—

**HB 4632**—A bill to be entitled An act relating to milk and milk products; amending subsection (1) of section 502.061, Florida Statutes, to provide certified samples and sample taking procedure and to authorize taking of official samples; to provide an effective date.

By Representative Tyrrell—

**HB 3552**—A bill to be entitled An act relating to the sale of brake fluid; amending sections 526.51 (1) (b) and 526.52(2), Florida Statutes; authorizing a change in formula or composition without reregistration; providing effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 4632**, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

**HB 3552**, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Culbreath and others—

**HB 3518**—A bill to be entitled An act relating to poultry diseases; requiring commercial poultry producers, commercial poultry hatcheries, and commercial egg producing farms to provide for the sanitary disposal of dead birds, hatchery residue, and processing plant offal; prescribing the duties of the commissioner of agriculture; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*



*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Alvarez—

**HB 929**—A bill to be entitled An act relating to milk and milk products; redefining certain milks and milk products; redefining "filled milk", repealing sections 502.041 (1) (f), and 502.181 (2), Florida Statutes; amending rule making authority; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Agriculture—

**HB 5266**—A bill to be entitled An act relating to agriculture; providing enabling legislation for the marketing, handling, and distributing of flue-cured tobacco grown in Florida; providing for the regulation of handlers, distributors, producers and others; establishing standards in relation to such regulation; providing for hearings on and the issuance, administration and enforcement of marketing agreements and marketing orders in connection with the regulations aforesaid; providing for referendum on marketing orders; prescribing powers, duties and jurisdiction of department of agriculture and consumer services and advisory council in relation thereto; prescribing remedies, rights, duties and penalties with respect to violations of this act or any marketing order promulgated thereunder; providing for assessments to be levied and collected by department of agriculture and consumer services so as to pay expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

House Bills 3518, 929 and 5266, contained in the above messages, were read the first time by title and referred to the Committee on Agriculture.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Public School Education—

**CS for HB 3893**—A bill to be entitled An act relating to occupational specialists; providing minimum standards; permitting district school boards to submit plans; providing for regulations to be adopted by the department of education; providing for funding; requiring a report from the department of education; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

CS for HB 3893, contained in the above message, was read the first time by title and referred to the Committees on Education and Ways and Means.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Firestone—

**HB 4799**—A bill to be entitled An act relating to capitol center, parking facilities; directing department of general services to acquire, construct, finance, operate, staff and maintain same on capitol center lands of board of trustees of internal improvement trust fund and to amortize revenue certificates thereon from fees and charges for use of same; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Graham and others—

**HB 3854**—A bill to be entitled The Florida Water Pollution Control and Sewage Treatment Plant Grant Act of 1970; establishing a state water pollution control fund administered by the air and water pollution control board to provide grants to local agencies for sewage treatment projects eligible for federal funds; setting grant requirements; providing that the air and water pollution board approve plans, set priorities, confirmation and ratification of present priorities, promulgate rules and regulations, give technical assistance, cooperate with other agencies, report to the legislature, obtain federal funds, and authorize certain advances to local agencies in anticipation of federal funds; containing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Finance & Taxation—

**HB 5130**—A bill to be entitled An act relating to taxes on gasoline and other like products of petroleum and on special fuels; amending sections 208.04(4)(a), 208.08(1) and 208.44(3), Florida Statutes; subjecting the collection, payment and appropriation of the proceeds of said taxes to the provisions of section 208.461, Florida Statutes; amending chapter 208, Florida Statutes, by adding section 208.461; providing that the portion of the first gas tax and the additional tax on gas or other like products of petroleum paid by a municipality pursuant to the use of such products in motor vehicles operated by said municipality shall be returned to the governing body of the municipality; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Appropriations—

**CS for HB 3896**—A bill to be entitled An act relating to education; establishing a vocational improvement fund; stating the purpose of this fund; designating the department of education as the administering agency; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

House Bills 4799, 3854, 5130 and CS for HB 3896, contained in the above messages, were read the first time by title and referred to the Committee on Ways and Means.

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Fleece and Spicola—

**HB 3514**—A bill to be entitled An act relating to the Professional Service Corporation Act; amending Section 621.10, Florida Statutes, to eliminate restriction against holding public office; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3514, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.* May 26, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on State Governmental Organization & Efficiency—

**CS for HB 2170**—A bill to be entitled An act creating a medical examiners commission and providing its membership, powers, duties and functions; providing for the commission to promulgate rules and regulations pertaining to post mortem examinations, standards of performance of duties, the maintenance of records, qualifications and appointment of medical examiners; providing for the appointment of associate medical examiners; providing for causes of certain types of deaths to be determined in the public interest by means of investigations and examinations and autopsies; providing for notification of medical examiners of deaths to be investigated and penalty for failure to notify; providing for maintenance and preservation of records; providing for liaison between law enforcement investigators and medical examiners; providing for fees, salaries, and facilities for performance of duties; providing for alternate designation of medical examiners in the event that medical examiners are unable to perform their duties; providing for liability insurance for medical examiners and associate medical examiners; providing for designation of medical examiners of districts containing a county under home rule charter; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 26, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed, as amended—

By Representative Nichols—

**HB 4273**—A bill to be entitled An act relating to the judicial retirement system; amending chapter 123, Florida Statutes, by adding section 123.051; providing an optional retirement plan for certain justices and judges; providing that justices or judges electing to retire under the provisions of this act shall be subject to certain requirements and prohibitions; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 26, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed, as amended—

By Representative Nease and others—

**HB 4285**—A bill to be entitled An act relating to junior colleges; amending section 238.01(6), Florida Statutes, by adding junior college boards of trustees in the definition of employer under Retirement System for School Teachers; amending section 230.760, Florida Statutes, by repealing subsection (3) thereof relating to continuing contracts under special conditions; amending chapter 230, Florida Statutes, by adding a new section authorizing district boards of trustees to charge off uncollectible accounts; providing for use of the terms community college and junior college interchangeably; amending section 230.764, Florida Statutes, authorizing recalculation for sales tax funds; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Agriculture—

**CS for HB 4584**—A bill to be entitled An act relating to agriculture; to provide enabling legislation for the marketing, handling, and distributing of soybeans grown in Florida, and providing for the regulation of handlers, distributors, producers and others; establishing standards in relation to such regulation; providing for hearings on and the issuance, administration and enforcement of marketing agreements and marketing orders in connection with the regulations aforesaid; providing for referendum on marketing orders; prescribing the powers, duties and jurisdiction of the department of agriculture and consumer services and advisory council in relation thereto; prescribing remedies, rights, duties and penalties with respect to violations of this act or any marketing order promulgated thereunder; providing for assessments to be levied and collected by the department of agriculture and consumer services of Florida so as to pay the expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 2170, House Bills 4273, 4285 and CS for HB 4584, contained in the above messages, were read the first time by title. On motions by Senator Friday, the rules were waived and the bills were placed on the Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Commerce—

**CS for HB 4943**—A bill to be entitled An act relating to factory built housing; providing for the duties and powers of the division of technical assistance of the department of community affairs; providing for the inspection and approval of factory built housing; providing penalties; providing an effective date.

By Representative Fleece—

**HB 4731**—A bill to be entitled An act relating to municipalities, dedicated lands; amending sections 95.36 and 167.09, Florida Statutes, providing that the title to dedicated lands accepted and used for park purposes, which have been vacated or discontinued, shall not be challenged in any legal proceedings; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 4943, contained in the above message, was read the first time by title and referred to the Committee on Governmental Organization.

HB 4731, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Commerce—

**CS for HB 581**—A bill to be entitled An act relating to fraudulent practices; amending Chapter 817, Florida Statutes, by adding Part IV; prohibiting unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce; providing definitions, restraint of prohibited acts by injunction, civil investigative demand, penalties, administration and enforcement, interpretation, short title and effective date.

By Representative Lancaster—

**HB 4846**—A bill to be entitled An act relating to industrial savings banks; amending section 656.031(2), Florida Statutes, providing for fee to accompany applications for authority to organize such banks; amending section 656.22, Florida Statutes, providing for semiannual examination fees and assessments and the deposit of such fees and assessments in a trust fund; providing an effective date.

By Representative Lancaster—

**HB 4847**—A bill to be entitled An act relating to the banking code, first and second parts; amending section 658.08, Florida Statutes, providing for semiannual examination fees and assessments; providing for the deposit of fees and assessments in a trust fund; amending section 659.02(2), Florida Statutes, providing for fee to accompany applications for authority to organize a bank; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 581, contained in the above message, was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Judiciary.

House Bills 4846 and 4847, contained in the above messages, were read the first time by title. On motions by Senator Friday, the rules were waived and the bills were placed on the Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Reedy—

**HB 2174**—A bill to be entitled An act relating to transportation brokers; amending section 323.31(1), Florida Statutes; requiring certificates of public convenience and necessity instead of licenses and providing certificates for certain persons already operating as brokers; amending and renumbering subsection (3) of section 323.31, Florida Statutes, as subsection (2); increasing certain standards for certificates, reducing the renewal fee, and providing a basis for the issuance of certificates by the commission; renumbering subsection 323.31(2), Florida Statutes, as subsection (3) and amending certain provisions for public hearings; adding subsection (4) to section 323.31, Florida Statutes, and renumbering and amending existing subsections (4) and (5) as (5) and (6), respectively; providing for the contents of a certificate, revocation and cancellation of certificates, and hearings on revocation, cancellation, or suspension; amending and renumbering subsection (6) of section 323.31, Florida Statutes, as subsection (7); prohibiting assignment of certificates without commission approval; renumbering subsections (7), (8), and (9) of section 323.31, Florida Statutes, as subsections (8), (9), and (10), respectively, and adding a new subsection (11) providing a definition of "public interest"; providing an effective date.

By the Committee on Mental Health & Retardation—

**HB 5168**—A bill to be entitled An act relating to the division of retardation of the department of health and rehabilitative services; creating a new chapter 393, Florida Statutes, consisting of sections 393.016, 393.026, 393.036, 393.046, 393.056, 393.066, 393.076, 393.086, 393.096, 393.106, 393.116, 393.126, 393.136, 393.146, 393.156, 393.166, 393.176, 393.186, and 393.196; providing for supervision and control of Sunland centers; providing purposes of Sunland centers and residential facilities; authorizing new sites for residential and service facilities; establishing medical research center; authorizing regional community centers and employment of superintendents; providing for application for admission to residential facilities and centers with alternative method for admission to centers; declaring department of health and rehabilitative services to be legal guardian of residents; providing for protection of substitute parents; providing for discharge of residents; providing for regulations regarding leave of residents; providing for support of residential facilities, accommodations therein, and payments for maintenance; authorizing transfer of patients to division of mental health; providing for order for commitment and restoration to competency; repealing sections 393.01, 393.012, 393.0125, 393.013, 393.015, 393.02, 393.021, 393.03, 393.031, 393.04, 393.05, 393.051, 393.06, 393.07, 393.08, 393.09, 393.10, 393.11, and 393.12, Florida Statutes, relating to creation of Sunland training centers; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 2174, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

HB 5168, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Bevis—

**HB 4884**—A bill to be entitled An act relating to Indian reservations and affairs; amending section 285.11, Florida Statutes, to authorize leases of reservation land to Florida Indians for terms of twenty-five (25) years; providing for renewal of such leases; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

HB 4884, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives requests the return of House Bills 5059 and 3839.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

On motion by Senator Karl, the rules were waived and HB 5059 was withdrawn from the Committee on Rules and Calendar and returned to the House as requested.

On motion by Senator Friday, the rules were waived and HB 3839 was withdrawn from the Committee on Rules and Calendar and returned to the House as requested.

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Turlington, Savage, Gustafson, Sessums, Harris, Fortune and Crider as a Conference Committee to confer with the like committee on the part of the Senate to adjust the differences on Senate amendment to HB 5210.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Shaw, Baumgartner and Lewis as a Conference Committee to confer with the like committee on the part of the Senate to adjust the differences on Senate amendment to CS for HB 3117.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.* May 27, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

HB 4351                      HB 4648                      HB 5117

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed CS for SB 375.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 244.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—

SCR 794

SCR 754

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

SB 1484	SB 1486	SB 1490
SB 1488	SB 1489	SB 1498
SB 1491	SB 1492	SB 1507
SB 1502	SB 1503	SB 404
SB 1508	SB 1522	
SB 511	SB 1487	

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

The bills, contained in the above messages, were ordered enrolled.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Turlington and others—

**HB 4609**—A bill to be entitled An act relating to performance and payment construction bonds, amending section 627.0905, Florida Statutes, excepting construction projects under Federal Housing Administration or Veteran's Administration financed programs; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

HB 4609, contained in the above message, was read the first time by title. On motion by Senator Deeb, the rules were waived and the bill was placed on the Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Conway and others—

**HB 3894**—A bill to be entitled An act relating to institutions of higher learning; amending chapter 241, Florida Statutes, by adding section 241.75, creating the high priority educational projects fund to be administered by the board of regents; setting forth the purposes for which said fund may be used and directing the board of regents to annually list projects for support; requiring an annual report to the board of education and the legislature; providing an effective date.

By Representative MacKay and others—

**HB 3951**—A bill to be entitled An act relating to education; amending section 230.765 (1), Florida Statutes, providing procedure for determining instruction units for occupational education; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3894, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 3951, contained in the above message, was read the first time by title and referred to the Committees on Education and Ways and Means.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Karl—

**SB 1110**—A bill to be entitled An act relating to home solicitation sales; providing a buyer's right to cancel a contract; providing a presumptions of agreement; providing exclusions; providing for a restoration of down payment; providing for duties of a buyer; providing a penalty; providing an effective date.

Amendment 1—

On page 2, line 3, strike “seventh” and insert third

Amendment 2—

On page 3, line 21, strike “(1) The sale of insurance, and” and renumber subsequent subsections

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator Karl, the Senate concurred in House amendment 1 to SB 1110 and refused to concur in House amendment 2, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Friday—

**SB 1372**—A bill to be entitled An act relating to free gift advertising; regulating the use in advertising of the term “FREE” and words of similar meaning and intent.

Which amendment reads as follows—

On page 3, line 10, strike all line 10 and insert the following: July 1, 1970.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Friday, the Senate concurred in the House amendment to SB 1372.

SB 1372 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Karl	Stone
Askew	Fincher	Knopke	Thomas
Barron	Friday	Lane	Trask
Bell	Gong	McClain	Weber
Bishop	Haverfield	Ott	Weissenborn
Boyd	Henderson	Plante	Young
Daniel	Hollahan	Poston	
Deeb	Horne	Shevin	
de la Parte	Johnson	Stolzenburg	

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Thomas—

**SB 281**—A bill to be entitled An act relating to the regulation of municipally-owned electric and gas utilities; providing for court proceedings to enforce the act or practice prohibited hereby; providing for treble damages, attorney fees and costs to the person or persons aggrieved and who prevail in the legal proceedings; providing an effective date.

Amendment 1—

On page 2, line 21, strike all of line 21 and insert the following: July 1, 1970.

Amendment 2—

On page 1, line 17, strike “or gas” and insert the following: ,gas or water and sewer services

Amendment 3—

On page 1, line 25, strike “or gas utility” and insert the following: ,gas or water and sewer utility

Amendment 4—

On page 2, line 17, add a new Section 4 to read:

Section 4. This act shall not apply to a county operating under a home rule charter where said county has in operation under said charter an agency regulating water and sewer systems.

and renumber Section 4 as Section 5

Amendment 5—

In title, line 5, after the word “electric” insert the following: ,water, sewer

Amendment 6—

In title on page 1, line 11, following the semicolon insert the following: providing exemption from application in home rule charter counties;

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Thomas, the Senate concurred in House amendments 1, 2, 4 and 6 to SB 281.

Senator Thomas offered the following amendment to House amendment 3 to SB 281 which was adopted:

In Section 1, page 1, following "utility" strike the remainder of Section 1 and insert the following: within the state shall charge consumers served outside of the boundaries of such municipality a rate for an electric or gas utility of more than twenty per cent (20%) in excess of the rate charged for such service plus taxes applicable only to such service, within the boundaries, to consumers served within such boundaries for corresponding service. Any municipality operating water or sewer utility outside of the boundaries of such municipality shall charge consumers outside the boundaries such rates, fees and charges as may be determined in one of the following manners:

(a) The same rates, fees and charges as consumers inside the municipal boundaries; provided, in addition thereto, the municipality may add a surcharge of not more than 25% of such rates, fees and charges to consumers outside the boundaries. Fixing of such rates, fees and charges shall not require a public hearing except as may be provided for service to consumers inside the municipality.

(b) Rates, fees and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees and charges for consumers inside the municipal boundaries. In addition thereto, the municipality may add a surcharge not to exceed 25% of such rates, fees and charges for said services to consumers outside the boundaries; provided that the total of such rates, fees, and charges for said services to consumers outside the boundaries shall not be more than fifty (50) per cent in excess of the total amount the municipality charges consumers served within the municipality for corresponding service.

No such rates, fees and charges shall be fixed until after a public hearing at which all of the users of the water or sewer systems and owners, tenants or occupants of property served or to be served thereby and all others interested shall have an opportunity to be heard concerning the proposed rates, fees and charges. Any change or revision of such rates, fees or charges may be made in the same manner as such rates, fees or charges were originally established as hereinabove provided, but if such change or revision be made substantially pro rata as to all classes of service, no hearing or notice shall be required.

Senator Thomas offered the following amendment to House amendment 5 to SB 281 which was adopted:

In Section 3 following "utilities" insert and municipally owned water and sewer utilities

On motions by Senator Thomas, the Senate concurred in House amendments 3 and 5 as amended.

On motion by Senator Thomas, SB 281 as further amended was read by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

Askew	de la Parte	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Barron	Fincher	Myers	Stone
Barrow	Friday	Ott	Thomas
Beaufort	Gong	Plante	Trask
Bell	Haverfield	Pope	Weber
Bishop	Henderson	Poston	Williams
Boyd	Hollahan	Reuter	Wilson
Chiles	Horne	Saunders	Young
Daniel	Johnson	Sayler	
Deeb	Karl	Shevin	

The President Pro Tempore presiding.

By permission, Senators Shevin, Askew and Haverfield were recorded as voting yea on SCR 1560 which was adopted by the Senate May 27.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has granted the request of the Senate and returns—

By Senators Thomas and Weissenborn—

**SB 696**—A bill to be entitled An act relating to migrant labor; creating the Florida legislative commission on migrant labor and an advisory committee thereto, and providing its composition, duties, and authority; authorizing participation by Florida in the interstate migrant labor compact and setting forth its terms; prescribing the Florida membership of the interstate migrant labor commission created by such compact; providing an effective date.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Thomas, the rules were waived and the Senate immediately reconsidered the vote by which SB 696, contained in the above message, passed on May 5. By permission, Senator Thomas withdrew SB 696 from the Senate.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Bell—

**SB 291**—A bill to be entitled An act relating to jurors and jury lists; amending section 40.12, Florida Statutes, providing for removal of requirement that attorneys, teachers of common schools, practicing physicians and surgeons must file a written affidavit annually to be exempt from jury duty; providing an effective date.

Amendment 1—

On page 1, strike lines 14–29 and on page 2, strike lines 1–17. and insert the following:

Section 1. Sections 40.08 and 40.12, Florida Statutes, are hereby repealed.

Section 2. Practicing attorneys shall be exempt from jury duty.

Section 3. This act shall take effect July 1, 1970.

Amendment 2—

In Title on page 1, lines 5–11, strike all of lines 5 through and including line 11 and insert the following: repealing sections 40.08 and 40.12, Florida Statutes, removing all existing exemptions from jury duty; providing an exemption for practicing attorneys; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator Bell, the Senate concurred in House amendments 1 and 2, to SB 291.

SB 291 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—37

Askew	Friday	Ott	Thomas
Bafalis	Gong	Plante	Trask
Barron	Gunter	Poston	Weber
Bell	Haverfield	Reuter	Weissenborn
Boyd	Henderson	Sayler	Williams
Broxson	Hollahan	Scarborough	Wilson
Daniel	Johnson	Shevin	Young
Deeb	Karl	Slade	
de la Parte	McClain	Stolzenburg	
Ducker	Myers	Stone	

Nays—4

Barrow Bishop Horne Lane

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Lancaster—

**HB 4645**—A bill to be entitled An act relating to food, amending subsection (8) of section 500.04, Florida Statutes, to provide an expansion of prohibited acts; amending subsections (1), (2) and (3) of section 500.06, Florida Statutes, to provide authority to prevent the use of insanitary food processing equipment; amending subsection (1) of section 500.12, Florida Statutes, to require permit for food manufacturers, processors and packers; providing effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

HB 4645, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Governmental Organization—

**CS for SB 393**—A bill to be entitled An act relating to electronic repair dealer registration for protection of the consuming public; defining certain terms; creating a bureau of electronic repair dealer registration; providing registration procedures for repair dealers; providing for grounds for revocation of registration; providing an appeal procedure; providing a penalty; providing for informal adjustment of complaints; creating an operating fund; setting fees; providing an effective date.

Amendment 1—

On page 10, line 21, insert the following: Section 12. Notwithstanding anything in this act to the contrary, the head of the department of business regulation may, in its discretion, assign the powers, duties and responsibilities of the bureau of electronic repair dealer registration as provided herein to the office of the executive director of the department or to any division of the department.

Renumber existing Section 12 as Section 13.

Amendment 2—

On page 5, lines 2 and 3, strike “twenty-five dollars (\$25.00) per diem for the performance of his duties” and insert the following: necessary expenses

Amendment 3—

On page 5, line 5, strike “for necessary expenses”

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

On motions by Senator Stone, the Senate concurred in House amendments 1, 2 and 3 to CS for SB 393.

CS for SB 393 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—34 Nays—None

Askew  
Barrow  
Bell  
Bishop  
Boyd  
Broxson  
Daniel  
Deeb  
Ducker

Friday  
Gong  
Gunter  
Haverfield  
Henderson  
Hollahan  
Karl  
Knopke  
Lane

McClain  
Myers  
Ott  
Plante  
Poston  
Reuter  
Saylor  
Scarborough  
Slade

Stolzenburg  
Stone  
Thomas  
Trask  
Weissenborn  
Wilson  
Young

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to—

CS for HB 4842

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Fincher—

**SB 554**—A bill to be entitled An act relating to workmen's compensation; amending sections 440.03, 440.05, 440.56(1) and 440.06 and repealing sections 440.04(1), 440.07 and 440.08, Florida Statutes; providing compulsory coverage of employers and employees as defined; and providing an effective date.

Amendment 1—

On page 3, between lines 29 &amp; 30, add a new section 6

Section 6. Paragraph (a) of subsection 440.39 (4), Florida Statutes, is amended to read:

(4) (a) If the injured employee or his dependents, as the case may be, shall fail to bring suit against such third party tort-feasor within one year after the cause of action thereof shall have accrued, the employer if a self-insurer, and if not, the insurance carrier, may after giving 30 days notice to the injured employee or his dependents, and the injured employee's attorney, if represented by counsel, institute suit against such third party tort-feasor either in his own name or as provided as subsection (3) of this section, and in the event suit is so instituted, shall be subrogated to and entitle to retain from any judgment recovered against or settlement made with such third party, the following: All amounts paid as compensation and medical benefits under the provisions of this law and the present value of all future compensation benefits payable, to be reduced to its present value, and to be retained as a trust fund from which future payments of compensation are to be made, together with all court costs, including attorney's fees expended in the prosecution of such suit, to be prorated as provided by subsection (3) of this section. The remainder of the moneys derived from such judgment or settlement to be paid to the employee or his dependents, as the case may be.

and renumber the subsequent section

Amendment 2—

In title, line 9, strike the semicolon and insert the following: ; amending paragraph 440.39 (4) (a) to provide notice of suits against third party tort-feasors

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

On motions by Senator Wilson, the Senate concurred in House amendments 1 and 2 to SB 554.

SB 554 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—28

Askew	Ducker	Knopke	Sayler
Bell	Fincher	McClain	Shevin
Boyd	Gong	Myers	Stolzenburg
Broxson	Gunter	Ott	Trask
Chiles	Haverfield	Plante	Weissenborn
Daniel	Henderson	Poston	Wilson
Deeb	Karl	Reuter	Young

Nays—2

Bishop Williams

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments 1 and 3 to—

By Senator Myers—

**SB 374**—A bill to be entitled An act relating to hazardous substances; providing definitions, authorizing determinations, variations and exemptions; providing prohibited acts, penalties and injunctions; authorizing embargo and seizure of misbranded or banned hazardous substances; requiring hearing before reporting for prosecution; authorizing rules; authorizing examination of records; authorizing publication of reports summarizing judgments, decrees, and court orders; providing an effective date.

Amendment 1—

On page 1, lines 23 thru 27, strike all of (1) and (2) and insert the following:

(1) "Department" means the Florida Department of Agriculture.

(2) "Commissioner" means the Commissioner of Agriculture or his legally authorized representative or agent.

Amendment 3—

Strike "secretary" wherever it appears on page 2, lines 17, 22, & 27, page 4, line 25, page 5, line 16, page 6, line 1, page 7, line 28, page 9, lines 7 & 17, page 11, lines 9, 10, 12, & 17, page 12, lines 1, 8, & 13, page 14, line 7, page 15, lines 2 & 16, page 17, lines 7, 10, 15, 24, & 30, page 18, lines 1 & 8, page 19, lines 7, & 26, page 20, lines 2, 4, 5, & 6, and insert the following: commissioner

—and again requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

Senator Myers moved that the Senate refuse to concur in House amendments 1 and 3 to SB 374; that the House again be requested to recede therefrom and in the event of refusal that the House be requested to appoint a Conference Committee to confer with a like Committee to be appointed on the part of the Senate to adjust the existing differences on the House amendments.

Senator Horne moved as a substitute motion that the Senate concur in House amendments 1 and 3 to SB 374. The motion failed and the vote was:

Yeas—17

Mr. President	Broxson	Knopke	Trask
Askew	Daniel	Ott	Williams
Barron	Friday	Saunders	
Barrow	Horne	Stone	
Boyd	Karl	Thomas	

Nays—25

Bafalis	Deeb	Ducker	Gong
Bell	de la Parte	Fincher	Haverfield

Henderson	Myers	Scarborough	Wilson
Hollahan	Plante	Shevin	Young
Johnson	Poston	Stolzenburg	
Lane	Reuter	Weber	
McClain	Sayler	Weissenborn	

The question recurred on the motion by Senator Myers, which was adopted, and the action of the Senate was certified to the House.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 27, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By The Committee on Ways and Means—

**CS for SB 70**—A bill to be entitled An act relating to clerk of the circuit court and other courts; revising statutes providing fees and commissions for services; changing the word fee to charges; amending chapter 28, Florida Statutes, by adding sections 28.071 to provide for an official seal and 28.231; amending sections 28.101, 28.12, 28.19, 28.24, 28.241, 28.242, 28.25, 28.28, 33.04, 34.04, 34.041, 45.031(1), 95.33, 222.17(5), 298.03(4), 298.07(4), 298.08(4), 298.09, 298.34(5), 298.67(2), 372.318, 382.25, 459.16, 460.15, 462.10, 463.13, 696.05(2), 698.11, 703.01, 703.02, 703.04, 703.05, 706.04, 865.09(3), (4), 924.25(6), 924.26(2), and 932.52(16), all Florida Statutes; providing an effective date.

—which amendment reads as follows:

On page 8, line 21, after the word "granted," strike lines 21 through 25 and insert the following: [Fees] *Service charges* in excess of those herein fixed may be imposed by the governing authority of the county by ordinance, by special or local law, and such excess[, together with not more than twenty per cent (20%) of the fees herein fixed,] shall be expended as provided by such ordinance or any special or local law, now or here—

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

On motion by Senator Ott, the Senate concurred in the House amendment to CS for SB 70.

CS for SB 70 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—42 Nays—None

Mr. President	Ducker	McClain	Stolzenburg
Askew	Fincher	Myers	Stone
Barron	Gong	Ott	Thomas
Barrow	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weber
Bishop	Henderson	Poston	Weissenborn
Boyd	Hollahan	Reuter	Williams
Broxson	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young
Deeb	Karl	Scarborough	
de la Parte	Knopke	Shevin	

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Weber—

**SB 601**—A bill to be entitled An act relating to landlord and tenant; amending section 83.241, Florida Statutes and adding section 83.26; providing an effective date.

Amendment 1—

On page 2, lines 1 and 2, strike all of Section 3. and insert the following:



Section 3. Subsection (2) of section 83.261, Florida Statutes, is amended to read:

83.261 Deposit money; duty of landlord.—

(2) Whenever money in excess of one hundred dollars (\$100.00) shall be deposited or advanced by a tenant on a contract for the use or rental of a housing unit as security for performance of the contract, such money shall be held in trust by the landlord and shall not be comingled with any other funds of the landlord; or, in the alternative, the landlord shall post a surety bond with the clerk of the circuit court in the county in which the housing unit is located in a total amount of security deposits *or twenty-five thousand dollars (\$25,000.00), whichever is less*, executed by the landlord as principal and a surety company authorized and licensed to do business in the state, as surety. The bond shall be conditioned upon the faithful compliance of the landlord with the provisions of this section, and shall run to the state for the benefit of any tenant injured by the landlord's violation of the provisions of this section.

Section 4. This act shall take effect on July 1, 1970.

Amendment 2—

In Title, on page 1, line 6, after the semicolon insert the following: amending subsection (2) of section 83.261, Florida Statutes, by providing for a maximum bond of twenty-five thousand dollars (\$25,000.00);

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Senator Weber moved that the Senate concur in House amendment 1 to SB 601. Pending consideration thereof, Senator Shevin offered the following amendment to House amendment 1:

In Section 3, line 11, page 1, strike: "twenty-five thousand dollars (\$25,000)" and insert the following: fifty thousand dollars (\$50,000)

Senator McClain offered the following substitute amendment which failed:

In Section 3, line 11, page 1, strike "25,000" and insert the following: \$100,000.

The amendment by Senator Shevin was adopted.

Senator Shevin offered the following amendment to House amendment 2 to SB 601 which was adopted:

In title, lines 2 and 3 strike "twenty-five thousand dollars (\$25,000.00)" and insert the following: fifty thousand dollars (\$50,000.00)

On motion by Senator Shevin, the Senate concurred in House amendments 1 and 2, as amended.

SB 601 as further amended was read by title and passed. The vote was: Yeas—35 Nays—None

Mr. President	Ducker	Johnson	Shevin
Askew	Fincher	Karl	Slade
Barron	Friday	Lane	Stolzenburg
Bell	Gong	McClain	Trask
Bishop	Gunter	Ott	Weber
Boyd	Haverfield	Plante	Weissenborn
Broxson	Henderson	Pope	Williams
Daniel	Hollahan	Poston	Wilson
Deeb	Horne	Reuter	

On motion by Senator Shevin, the rules were waived and SB 601 as further amended was immediately certified to the House.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 28, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments to—

By Representatives Walker and Yancey—

**HB 3371**—A bill to be entitled An act relating to the division of recreation and parks of the department of natural resources; amending chapter 592, Florida Statutes, by adding section 592.075, to vest police powers in the director and designated park officers; providing an effective date.

Amendment 1—

In Section 1, line 17, page 1, strike "The governor and cabinet" and insert the following: The executive director

Amendment 2—

In Section 1, line 22, page 1, insert the following after the word "shall," when commissioned and bonded as required by law,

Amendment 3—

On line 9, page 1, strike: "Park officers"

—and again requests the Senate to recede and in the event the Senate refuses to recede requests the appointment of a Conference Committee.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Haverfield, the Senate receded from Senate amendments to HB 3371.

HB 3371 was read by title, passed, and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Deeb	Horne	Shevin
Askew	de la Parte	Karl	Slade
Bafalis	Ducker	Lane	Stolzenburg
Barron	Fincher	McClain	Stone
Bell	Gong	Ott	Thomas
Bishop	Gunter	Plante	Trask
Boyd	Haverfield	Poston	Weissenborn
Daniel	Henderson	Reuter	Williams

## RECONSIDERATION

By permission, Senator Plante withdrew the motion made on May 27 to reconsider the vote by which SB 1015 passed on May 27.

By permission, Senator Plante withdrew the motion made on May 27 to reconsider the vote by which SB 1018 passed on May 27.

The motion by Senator Henderson on May 27 that the Senate reconsider the vote by which SB 1178 passed as amended on May 26, was taken up and the Senate refused to reconsider the vote and the bill was certified to the House.

On motions by Senator Friday, the rules were waived and Senate Bills 1048 and 1042 were placed at the foot of the Special Order Calendar.

On motion by Senator Pope the rules were waived and SB 1450 was placed as the second bill under the order of Unfinished Business.

Senator Friday presiding.

The motion by Senator Thomas on May 27 that the Senate reconsider the vote by which—

**HB 2016**—A bill to be entitled An act relating to billiards; amending section 849.06, F. S., regulating age of persons visiting places where billiards are played; defining billiard parlor; providing an effective date.

—passed as amended on May 26, was taken up and adopted and the Senate reconsidered the vote.

The President presiding.

On motion by Senator Thomas, the rules were waived and HB 2016 was placed back on second reading.

Senator Wilson offered the following amendment which failed:

In Section 1, line 11, insert A new Section 849.06 Section 1. It is unlawful for any person his servant or employee to permit anyone under the age of eighteen years to visit or frequent or play in any billiard parlor in this state where alcoholic beverages are sold.

On motion by Senator Ott, HB 2016 was read by title, and failed to pass. The vote was:

Yeas—15

Mr. President	Fincher	Ott	Scarborough
Beaufort	Horne	Plante	Stone
Bell	Knopke	Reuter	Wilson
Boyd	Lane	Saunders	

Nays—23

Askew	Ducker	McClain	Thomas
Bafalis	Friday	Pope	Trask
Broxson	Haverfield	Poston	Weber
Daniel	Hollahan	Sayler	Williams
Deeb	Johnson	Shevin	Young
de la Parte	Karl	Stolzenburg	

The motion by Senator Barrow on May 27 that the Senate reconsider the vote by which—

**SB 1203**—A bill to be entitled An act relating to elections; providing a procedure by which minority parties obtain a position on the general election ballot; providing a procedure allowing independent candidates to obtain a position on the general election ballot; repealing the provision prohibiting candidates from seeking the nomination of a party if they have been members of another party within one (1) year; repealing the provision prohibiting candidates from supporting opponents of members of his own party; providing a new procedure by which minority parties may have the names of their candidates for the offices of president and vice-president placed on the general election ballot; amending section 97.021, 99.021, 100.051, 101.251 and 101.263, Florida Statutes; adding new sections 99.152, 99.153, 101.261, 101.262, 101.263; providing an effective date.

—failed to pass as amended on May 27, was taken up and adopted; and the Senate reconsidered the vote.

On motion by Senator Stone, SB 1203 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Ducker	Knopke	Stone
Askew	Fincher	McClain	Thomas
Bafalis	Friday	Ott	Trask
Bell	Haverfield	Poston	Weber
Boyd	Henderson	Reuter	Weissenborn
Broxson	Hollahan	Saunders	Williams
Daniel	Horne	Scarborough	Wilson
Deeb	Johnson	Shevin	Young
de la Parte	Karl	Slade	

Nays—4

Lane	Plante	Pope	Stolzenburg
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On motion by Senator Stone, the rules were waived and SB 1203 was ordered immediately certified to the House after engrossing.

Senator Poston requested unanimous consent to take up CS for SB 114 out of order. Senator Boyd objected.

#### UNFINISHED BUSINESS

Consideration of SB 1197 with pending amendment was deferred, the bill retaining its place on the Calendar.

#### SPECIAL ORDER

Consideration of SB 1440 was deferred, the bill retaining its place on the Calendar.

**CS for SB 114**—A bill to be entitled An act providing for the collection and distribution of an eighth cent gas tax; amending subsections (1) and (4) of section 208.04, Florida Statutes, to provide for the collection and distribution of a third gas tax of one cent (1¢), subject to the exemption of section 208.05, Florida Statutes; adding subsection (4) of section 208.08, Florida Statutes, to provide for transfer of a third gas tax to a local government distribution trust fund; adding section 208.121 to chapter 208, Florida Statutes, to provide for the apportionment, allocation, distribution and use of a third gas tax; amending section 208.41, Florida Statutes, to provide for the imposition of an excise tax of eight cents (8¢) on gasoline used as a motor fuel; amending section 208.08(3), Florida Statutes, providing for the transfer of the seventh and eighth cent excise tax on motor fuels; amending section 208.20(1), Florida Statutes, increasing to eight cents (8¢) the excise tax imposed on motor vehicle fuel carriers and motor vehicle fuel reservoirs; amending sections 208.23 and 208.27, Florida Statutes, to provide for the levy and distribution of an additional two cent (2¢) tax on stored motor fuels; amending section 209.02, Florida Statutes, to increase to eight cents (8¢) the excise tax imposed on special fuels used for propelling motor vehicles; providing an effective date.

Was taken up having been read the second time and amended on May 27.

Senator Pope offered the following amendment which was adopted:

In Section 7, page 7, strike the period at the end of line 9 and insert the following: as to the eighth cent and 208.44 Florida Statutes, as to the seventh cent.

Senator Horne presiding.

Senator Wilson offered and moved the following amendment:

In Section 2, line 12, page 4, strike "according to the latest federal census," and insert the following: according to the most recent estimate of population adopted by resolution of the county commission

Further consideration of CS for SB 114 was deferred.

On motion by Senator Chiles, by two-thirds vote, SB 1444 was withdrawn from the Committee on Health, Welfare, and Institutions.

On motion by Senator Chiles, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider Senate Bills 1444, 377, 587, 908, 391, 1225, 1291, CS for HJR 3853 and 4040, CS for HB 4523, House Bills 3421, 4080 and 3854 at the scheduled meeting this day.

On motions by Senator Chiles, by two-thirds vote, Senate Bills 1285 and 1220 were withdrawn from the Committee on Ways and Means.

On motion by Senator Barron, by two-thirds vote, HB 3919 was also referred to the Committee on Agriculture.

On motion by Senator Thomas, Rule 2.5 was waived and the Committee on Agriculture was granted permission to meet May 29 in Room 31 at 2:15 p.m. to consider all bills referred to the committee.

Senator Knopke announced the cancellation of the meeting of the Committee on Natural Resources and Conservation this day.

On motion by Senator Friday, by two-thirds vote, SB 1564 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Friday, it was agreed that the portion of Unfinished Business and Special Order Calendar not covered at this day's session would carry over to the session for May 29 in the same order.

A motion by Senator Poston was adopted that the Senate adjourn immediately following ceremonies at 12:30 p.m. for unveiling the portrait of the President of the Senate and presentation of gifts of appreciation from members of the Senate to the President and President Pro Tempore.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:45 p.m. to reconvene at 8:30 a.m., Friday, May 29, 1970.